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P/4080-27

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

George B. DIAMOND et al.

Serial No.: 09/769,628

Filed: January 25, 2001

Date: November 22, 2002

Group Art Unit: 1761

Examiner: Steven L. Weinstein

For: APPARATUS HAVING A SPLASH GUARD FOR PREVENTING SPLASHING

Asst. Commissioner for Patents
Washington, D.C. 20231

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DEC 05 2002
TC 1700

RESPONSE

In response to the Restriction Requirement mailed October 25, 2002, applicant elects species I including a raised end with a raised upper flat portion as represented by Fig. 3. Applicant notes that such design is also seen in Figs. 4, 5 and 6 and presumes therefore that those Figures would be included in the deleted species.

Applicant notes that the Examiner says that no generic claim is present. It is submitted that claim 1 is generic, and many claims are dependent upon claim 1.

As for the elected claims, claims are readable on selected ones of Figs. 3-6. Applicant proposes that the claims are readable on those Figures as follows:

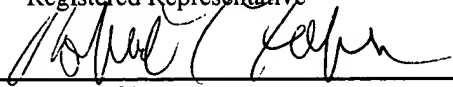
It is submitted that claim 1 and claims 15-18 read on Fig. 3, that claims 19-22 read on Fig. 4, that claims 2, 3, 23-25 read on Fig. 5 and that claims 4, 5, 23, 26 and 27 read on Fig. 6.

It is submitted that all of the above are elected claims. But the Examiner might use the above breakdown as a basis for claim selection according to applicant's election of species I. Applicant submits, therefore, that claims 1-5, 15-27 are claims readable on the elected species.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231, on November 22, 2002:

Robert C. Faber

Name of applicant, assignee or
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Signature

November 22, 2002

Date of Signature

Respectfully submitted,



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